

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

MATTHEW KOTILA, individually and
on behalf of all others similarly situated,

Case No. 1:22-cv-00704

Plaintiff,

District Judge Hala Y. Jarbou

v.

Magistrate Judge Ray S. Kent

CHARTER FINANCIAL PUBLISHING
NETWORK, INC.,

Defendant.

**DEFENDANT CHARTER FINANCIAL PUBLISHING
NETWORK, INC.’S MOTION FOR LEAVE TO FILE REPLY BRIEF
IN SUPPORT OF MOTION TO SET ASIDE DEFAULT**

Defendant Charter Financial Publishing Network (“Defendant” or “CFPN”), by its attorneys, Brooks Wilkins Sharkey & Turco PLLC, pursuant to W.D. Mich. L.R. 7.3(c) requests leave of this Court to file the attached Reply Brief in Support of Motion to Set Aside Default (see Exhibit A).

In accordance with L.R. 7.1(d), counsel for CFPN confirmed Plaintiff’s opposition to this motion as further detailed on the separately filed Certificate of Compliance.

Respectfully submitted,

**BROOKS WILKINS
SHARKEY & TURCO PLLC**

By: /s/ T. L. Summerville
T. L. Summerville (P63445)
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Date: October 31, 2023

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**DEFENDANT CHARTER FINANCIAL PUBLISHING NETWORK, INC.'S
BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE REPLY
BRIEF IN SUPPORT OF MOTION TO SET ASIDE DEFAULT**

CONCISE STATEMENT OF REASONS SUPPORTING THIS MOTION

Should the Court grant CFPN leave to file a reply brief in support of its Motion to Set Aside Default to address Plaintiff's mischaracterization of CFPN's arguments in Plaintiff's recently filed response opposing CFPN's Motion?

CFPN answers yes.

TABLE OF AUTHORITIES

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Brief in Support

CFPN relies upon W.D. Mich. L.R. 7.3(c) in support of its Motion for Leave to File Reply Brief in Support of Motion to Set Aside default. CFPN believes that the proposed Reply Brief, attached hereto as Exhibit A, will assist the Court adjudicating the Motion to Set Aside Default by, among other things, correcting mischaracterizations of CFPN's Motion and Brief in Plaintiff's recent and untimely response in opposition. Accordingly, CFPN requests leave to file the Reply Brief pursuant to L.R. 7.3(c).

WHEREFORE, CFPN prays that this Court enter an order granting this Motion and permitting CFPN leave to file the Reply Brief attached as Exhibit A to its Motion for Leave to File Reply Brief in Support of Motion to Set Aside Default.

Respectfully submitted,

**BROOKS WILKINS
SHARKEY & TURCO PLLC**

By: /s/ T. L. Summerville
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CERTIFICATE OF COMPLIANCE-LOCAL RULE 7.3(B)(II)

I hereby certify that the foregoing Brief contains 123 words, as calculated using the Word feature in Microsoft Word and exclusive of any words in the case caption, cover sheet, tables of content or authority, signature block, attachments, exhibits, affidavits, or other addenda.

/s/ T. L. Summerville
T. L. Summerville

CERTIFICATE OF SERVICE

I hereby certify that, on October 31, 2023, I electronically filed the foregoing document with the Clerk of the Court using the electronic filing system which will send notification of such filing to all counsel of record.

/s/ T. L. Summerville _____

T. L. Summerville